

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
20784/4-CONTotal Pages in this Submission
90**TO THE COMMISSIONER FOR PATENTS**

Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

PRODRUGS OF DP IV-INHIBITORS

and invented by:

Demuth et al.

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/745,776

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: DE 198/28113.7

Which is a:

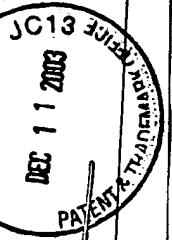
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: PCT EP 99/04382

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 19 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

DISK TO SETIC



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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal Number of Sheets 2
- b. ☒ Informal Number of Sheets 2
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CFR)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EV 264411154 US

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Accompanying Application Parts (Continued)

17. ☒ Applicant claims small entity status. See 37 CFR 1.27.

☒ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: 1

18. ☒ Additional Enclosures (*please identify below*):

1 Compact Disc containing 150 references; and 3 sheets of Print Screen

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

121103

16569 U.S. PTO

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Fee Calculation and Transmittal

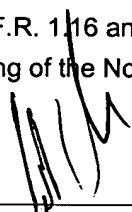
CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	12	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	1	- 3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$385.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$385.00

- ☒ A check in the amount of **\$385.00** to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0369** as described below.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: December 11, 2003

Customer N .: 21710
cc:

Signature

John C. Serio, Reg. No.: 39,023
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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR §1.10)

Docket No. 20784/4-CON

APPLICANT(S):

Demuth et al.

TITLE OF THE INVENTION:

PRODRUGS OF DP IV-INHIBITORS

FILING DATE: HEREWITH

APPLICATION NUMBER (if known): UNKNOWN

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

I hereby certify that the following correspondence:

Transmittal letter (4 pgs.); copy of original Application (21 pgs.); Preliminary Amendment (19 pgs.); Appendix A (12 pgs.); Information Disclosure Statement with 1449 (15 pgs.) 1 Compact Disc containing 150 references; 3 sheets of screen print; copy of executed Declaration and Power of Attorney (4 pgs.); copy of Recorded Assignment (7 pgs.) Small Entity Assertion (1 pg.); Transmittal of Formal Drawings; Two (2) sheets of formal drawings; check in the amount of \$385.00 for payment of filing fee.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 in an envelope addressed to: MAIL STOP Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

December 11, 2003

Date

Sandra Wittrup

Person Mailing Correspondence

Sandra Wittrup

Signature

EV 264411154 US

Express Mail No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Demuth et al. EXAMINER: Not yet assigned
SERIAL NO.: Not yet assigned ART UNIT: Not yet assigned
FILED: December 11, 2003
FOR: *PRODRUGS OF DP IV-INHIBITORS*

CERTIFICATE OF EXPRESS MAILING	
<small>I hereby certify that this document (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Express Mail No: EV 264411154 US on the date shown below and is addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</small>	
By: <u><i>Sandra J. Wittup</i></u> Sandra J. Wittup	Date <u><i>December 11, 2003</i></u> December 11, 2003

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

SUBMISSION OF FORMAL DRAWINGS

Sir:

Applicants enclose herewith two (2) sheets of formal drawings (Figs. 1-2). Please substitute these formal drawings for the ones currently on file. No fees are believed due, however, please charge any necessary charges or credits to Deposit Account No.: 50-0369.

Respectfully submitted,

Date: _____

John G. Serio, Reg. No.: 39,023
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Attorney(s) for Applicant
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